

Minutes of the JCCC Duty Liability

Sub-Group meeting

Date of Meeting: 25 November 2020

Teams

10.00-13.00

Attendees

TRADE

Howard Levene (HL)
Paul Wrighting (PW)
Barbara Scott (BS)
Gavin Roberts (GR)
Steve Bartlett (SB)
Ronnie Bennet (RB)
Corinne Nabavi (CN)
Pawel Jarza (PJ)
Lorenzo Rossetti (LR)
Ian Worth (IW)

HMRC

Hazel Batter (HB) (*chair*)
Kate Wood (KW) (*secretariat*)
Dave Knight (DK)
Lisa Carter (LC)
Mark Grace (MG)
Lyn Norton (LN)
Nigel Mooney (NM)
Steve Lamprell (SL)
Sharon Bowyer (SB)
Maria Millard (MM)

Apologies: Beth Earwicker, Liam Smyth, Bob Ellison, Mark Emerson, Keith Aldred, Andy Miller, Walter Anzer, Michael Alexander

DIT

Ada Igboemeka (AI)
Rosa Estevez (RE)
Anita Thandie (AT)
Shah Siddiki (SD)

Minutes of Last Meeting

The minutes of the previous meeting of October 2020 were agreed. And were published on gov.uk on the 4 December 2020.

Discussion with DIT (late addition)

AI from DIT confirmed that work is continuing with HMRC in order to publish the full UK tariff for Jan 1st as they understand it is key information moving forward and asked for any questions or concerns.

LR- Expressed the full 10-digit tariff is required ASAP for clarity on tariff and duty rates. Also, for IT system updates taking in to account Xmas is traders' busiest period. It is required in a usable format with IT systems asap.

CB also expressed full tariff required for NI import declarations.

AI confirmed some information is available but concentrating on getting full data before publication. Waiting on legislation to be laid in December. No firm date can be provided. Clarified that there are no plans to change existing commodity codes.

HL asked for clarification on changes 8/10 digits.

AI no changes to existing 10/8 digits.

HL and **LR** requested a legislation timetable.

BS asked if current confirmed information could be published now.

AI confirmed no date possible and insisted they cannot publish tariff information until deal is completed and negotiations are concluded. Interim information will not be provided.

PJ asked for confirmation on the 'same' structure or content and exemplified cars.

AI confirmed they will remain the same, and that NI will use EU rates.

LR asked if an iteration worst case so they can make projections?

AI confirmed no separate scenarios will be published and reiterated the full data set will only be published when legislation laid. Which she believes to be early December.

CB asked if duty rates will stay the same.

AI suspects yes but can't confirm as dependant on EU deal.

GR asked if the members could have why the full duty rates are not yet published yet in writing.

RE asked for any key questions in writing for the conversation to continue and give any responses to ongoing questions before end of transition. And is open to a further conversation.

HB will formalise some questions via the secretariat by HMRC and distribute to DIT for the end of the week.

GR asked when DIT would come back with initial response?

AI confirmed early next week. And stated they may even have timeline regarding publication by that point.

Update on Previous Action Points

Summary of Action Points

AP	Subject	Action Point(s)	Owner	Status
1	Preference & Declarations	Is box 37 for Preference still to be used or will it be driven by the tariff code?	HB	Discharged
2	Controlled Goods	To provide the latest information on controlled goods post 31/12/20	HB	Discharged

MAIN AGENDA

Origin Matters

General Update SL

SL heavily involved in negotiations regarding FTA's with current EU partners have agreed to roll over FTAs with current partners. Discussions regarding tariff legislation/EU/UK FTA is yet to be raised and finalised.

Confirmed that DIT have published some guidance in relation to GSP. Notices including FoL legislation and SI's rely on notices being published. REX forms will be accepted until the end of 2021.

CN (GSP question submitted) What evidence the UK would require proving the GSP validity on the shipment?

SL Retrospective proof of origin invoice declaration from the beneficiary number could admit. And possibly supplementary evidence that the goods have remained under customs control could be requested in certain circumstances.

CN Referring to the origin of the goods each time will not benefit the UK.

SL To be considered.

RB Cambodia is showing as being back to zero duty from Jan 1st? is this correct?

SL Will take away and ask FCDO as HMRC do not set that policy. **AP1**

IW Rollover agreement with Chile? Will separate releases of consignments/invoice declarations will require one or separate?

SL Regarding agreements proof of origin will remain the same. Invoice declarations originating in Chile via the EU may require retrospective proof of origin being issued.

GR Had a discussion with Irish revenue during a food and drink federation comms meeting and Irish are expecting the REX system to be used for EU and UK. Do traders need to apply?

SL This has not figured in negotiations as far as NI is concerned. UK policy is not looking at REX.

BS Would products coming from UK, would UK provide documentation require non manipulation rules?

SL Evidence required that goods have remained in customs control. Evidence chain should be provided if asked.

BS Would like how to get certificate of manipulation to guidance.

SL Believes it in existing guidance. And to be included in new guidance if required.

LR Customs warehouse in the EU. Will this not extend the life of the preference certificate?

SL Would be valid for two years under UK. Preference certificate would have to be presented to the relevant customs authority within its validity period. Will take away. **AP2**

PJ Will there be guidance on avoiding double taxation? And goods leaving EU before end of transition and arriving post transition.

SL and **HB** recommended contacting the external engagement group. But confirmed they would check inboxes for information.

IW Origin cert issue. Will new cert of origin still be valid within the UK?

SL Will take away. **AP3**

Guidance update **MM**

MM All BAU customs guidance has undergone a streamlining project to make more user focused and easy to navigate. 4 pages- import and exporting under preference and leads on to more detailed pages. Living documents that can be built on, publication date within next two weeks.

SL Asked for feedback. There will be gaps as it's the first iteration. Please send any feedback on the new guidance via **KW** secretariat.

KW to advise when Guidance goes live. **AP4**

GSP Evidence Requirements **CN**

Response given in above conversation

Tariff Matters

General Update **DK**

Publication of the 10-digit codes covered by DIT section.

DK Chief preparation is on track and confident for January 1st.

CDS exchanges are ongoing with DIT and HMRC I.T teams. Preparations are also on track and progress is as expected.

Will be providing a copy of the tariff mid-December with the information on the system at that point, and by January UKGT will be published.

The online tariff work is ongoing to ensure EU and UK full tariffs are available.

Classification Matters

BTI/ATaR Update **HB**

HB publication on BTI's and ATaR that was shared after last meeting. Additional comms that will be cleared and individual letters will be sent to traders.

BS asked if the plan was to write to everyone with a BTI.

HB confirmed yes, with information on what will happen on day 1. Currently going through comms clearance which is why its delayed. Members will be notified when letters are issued.

LN stated an email will be sent out. With links to relevant pages on gov.uk to clarify processes on day 1.

GIRs and the UKGT **CN**

HB will roll forward due to origins and will be part of the reference document. DIT have added explanatory notes but won't change process. No date yet as due to legislation being laid.

BS stated that there was nothing about GIRs in tariff currently.

HB said they will be as part of the legislation package. And will function as they do now.

BS asked if the UK will replicate the EU explanatory notes?

HB the expectation is that the existing EN's will roll forward.

Valuation Update

WCO Technical Committee Meeting Update **NM**

Meeting in October to provide continuity. 5 parts 1-welcome, 2- reports in presentation format, 3- Technical assistance capacity building understanding of valuation and covid updates, 4- Technical questions i.e. sale for exports in situational questions, and royalty rates. 5- Elections of chairs.
Next meeting 21 May.

Guidance Update **MG**

re write of Notice 252 to remove EU specific and to make user friendly. Working the examples with areas of expertise and liaising with digital colleagues. A redraft is ongoing. Ready to be published on 1st January to be exit specific. The notice will be broken down in to sections and have pages going off to examples etc so it's easier to navigate. Will be made available as soon as possible.

IW asked to not lose detail of the guidance such as legal references.

MK confirmed most content will be kept. Only textural differences. Understand the content is highly important. Will be asking for members feedback once published.

PJ asked if notice 252 will include freight costs valuations?

MK confirmed yes. And will bolster what is in already if required.

AOB

Confirmed an hour-long update in December would be beneficial.

Next Meeting: (Interim hour) 18/12/20

Meeting closed at 12.45

Summary of Action Points

AP	Subject	Action Point(s)	Owner	Status
1	Origin	Cambodia zero duty from Jan 1 st ?	SL	Discharged Sent with DIT replies
2	Origin	Life of preference certificates?	SL	? have asked steve
3	Origin	Origin certificates issued post Jan 1 st will still be valid in the UK?.	SL	? have asked steve
4	General Update	To confirm when updated guidance goes live on gov.uk	KW	Discharged Sent update with minutes of meeting
5	DIT	Questions for DIT	HB/KW	Discharged List compiled and sent for response. Received and distributed